

**REMARKS**

New claim 2 has been added. No new matter has been added. Claims 1 and 2 remain in the application. Reconsideration and reexamination is respectfully requested.

In paper 10, paragraph 2, claim 1 was rejected under 35 USC § 112, second paragraph. Applicant respectfully traverses.

From MPEP 2173.02, definiteness of claim language must be analyzed in light of: (A) the content of the particular application disclosure; (B) the teachings of the prior art; and (C) the claim interpretation that would be given by one possessing the ordinary level of skill in the pertinent art at the time the invention was made.

As stated in previous responses, claim 1, which has not been amended and was presented in its current form in the original application, is part of the specification. Regardless of the contents, or lack of contents, of the figures and the description of the invention, the specification includes the words of claim 1. If claim 1 satisfies the criteria for definiteness other than criteria (A) of MPEP 2173.02, then a rejection under 35 USC § 112, second paragraph, is improper because criteria (A) is satisfied by definition. The examiner has not argued that the claim is unclear or imprecise in the sense of the claim interpretation that would be given by one possessing the ordinary level of skill in the art at the time of the invention was made. Instead, the examiner has argued that the elements of claim 1 are not supported in the specification. However, since claim 1 is part of the specification, by definition, no prima facie case for indefiniteness under 35 USC § 112, second paragraph, has been established. In addition, in the following argument, applicant will show that claim 1 is supported in the rest of the specification.

The first element of claim 1 specifies a data storage medium, the data storage medium having control data stored in the form of a data structure, the data structure comprising: a data area that includes information for control of access to regions of the data storage medium, wherein a region is less than the entire data storage medium.

From the summary of the application, one example disk control block is called an Access Control (AC) DCB. An AC DCB may be used to partition a disk into multiple sections, and for each section the DCB defines an access attribute such as write-once, or read only with password, or other similar access control.

Figure 2, and the description of figure 2 starting at page 5, line 11, teaches that a disk control block comprises several areas (202, 204, 206, and 208). Area 208 is an example of the first element of claim 1. An Access Control Disk Control Block, as described in the summary, and further described starting at page 7, line 26, and continuing to page 8, line 20, is an example of a data structure as specified in the first element of claim 1.

The examiner questions the words "data structure comprising a data area". The term "data structure" is being used in its ordinary dictionary meaning. For example, see Dictionary of Computers, Information Processing & Telecommunications, second edition, by Jerry M. Rosenberg, page 155: "data structure: the syntactic structure of symbolic expressions and their storage allocation characteristics." From the title of the application, the summary of the invention, and the abstract, the invention relates to a data structure. From the summary, and from page 4, line 18, a disk control block is a data structure.

The second element of claim 1 specifies: a header, the header further comprising a set of bits, each bit corresponding to a form of control for access to the entire data storage medium.

An example in the specification of the second element of claim 1 is an unknown content descriptor area, as described in the summary of the application, and in the specification starting at page 7, line 21.

From the summary of the application, each disk control block also includes an area called Unknown Content Descriptor Actions (UCDA), which specifies certain actions a drive must take if the drive does not recognize the identifier for the DCB. The specification, starting at page 7, line 21, reads as follows (emphasis added):

The UCDA contains single bit fields, where each bit specifies an access control attribute. The UCDA is used only when a drive does not recognize a DCB ID, and therefore cannot interpret any information, or specifically cannot interpret access control information within the DCB-specific area of the DCB. When a drive does not recognize a DCB ID, the UCDA for the unrecognized DCB overrides all other access controls in all DCB's. For example, assume a newly defined DCB specifies that a region of the disk must be write protected. The new DCB specifying a write protect region also has a bit set in its UCDA area that specifies no writing. If the drive does not recognize the new DCB ID, the drive still sees that the UCDA specifies no writing, and the drive then does not permit any part of the disk to be

written. This ensures that the drive does not perform any access activity that is inconsistent with the access requirements of an unrecognized DCB. For an additional example, a unknown DCB may disable reading of the DCB specific area of the DCB to ensure that a password in the DCB cannot be read by unauthorized drives. Specific UCDA bits may, for example, disable writing within the DCB area of the lead-in and lead-out areas, disable writing within the data area of the disk, disable writing to any part of the disk, disable overwriting of the data area, disable reformatting, disable reading of the data area, and so forth.

The second element of claim 1 specifies: "a header, the header further comprising a set of bits, each bit corresponding to a form of control for access to the entire data storage medium." From the quoted portions of the specification above, and in particular the underlined portions, each bit in a UCDA specifies an access control attribute, for example one bit may specify that a drive is not permitted to write to any part of the disk, and another bit may specify that a drive is not permitted to write within the lead-in and lead-out areas, and another bit may specify that a drive is not permitted to write with the data area, and another bit may specify that a drive is not permitted to reformat the media, and another bit may specify that the drive is not permitted to read the data area, and so forth.

In particular, one bit may control whether a drive is permitted to write to any part of the disk, and another bit may control whether a drive is permitted to reformat the media. Each of those bits correspond to a form of control for access to the entire data storage medium. The word "comprising" means that there may be other bits, but the header at least has a set of bits that control access to the entire data storage medium.

The examiner quotes page 8, lines 21-22, and page 9, lines 7-11, stating that the quoted areas do not mean that each bit corresponds to a form of control for access to the entire data storage medium. The claim does not specify that every bit in the header corresponds to a form of access control for the entire data storage medium. The claim specifies that header comprises (there may be more) a set of bits, each bit (within the set) corresponding to a form of control for access to the entire data storage medium. From the above discussion, an example of the set is one bit controlling writing to the entire data storage medium, and a second bit controlling formatting the entire data storage medium. The claim does not preclude additional bits controlling other types of access.

While the applicant asserts that claim 1 satisfies the requirements of 35 USC § 112, second paragraph, without amendment, applicant has added a new claim 2 that removes at least some of the examiner's objections to claim 1, as the applicant understands those objections.

This application is considered to be in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

by A. W. Winfield

Augustus W. Winfield

Reg. No. 34,046

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Fort Collins, CO 80528-9599

(970)-898-3142